

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In Re.:            Patent Application of  
                 GERMICK, ROBERT J.  
                 GILLESPIE, SCOTT F.  
                 MAACK, JENNIFER M.  
                 MILLER, LESLIE D.  
                 PAUL, JONATHAN P.  
                 STEWART, AMANDA CLARE HUME

Serial No.:        09/904,794

Filed:             July 12, 2001

For:                FOOD PRODUCTS, ESPECIALLY REFRIGERATED  
                      YOGURT PRODUCTS, AND APPARATUS AND  
                      METHODS FOR THEIR PRODUCTION

Docket No.:       5468

FILING OF MISSING PARTS OF APPLICATION

Assistant Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Applicant has received a Notice To File Missing Parts  
Of Application--Filing Date Granted. The notice indicated  
that the oath or declaration was missing.

Please find enclosed a Declaration executed by the  
inventors.

Also enclosed is a copy of the Notice. The fee is  
herewith made from Deposit Account No. 07-0900.

Respectfully submitted,

GERMICK, ROBERT J.  
GILLESPIE, SCOTT F.  
MAACK, JENNIFER M.  
MILLER, LESLIE D.  
PAUL, JONATHAN P.  
STEWART, AMANDA CLARE HUME

I hereby certify that this document is  
being deposited with the United States  
Postal service as first class mail in an  
envelope addressed to:

Assistant Commissioner for  
Patents

Washington, DC 20231

on: Sept. 6, 2001

Brenda K. Papp  
Signature

By John A. O'Toole 9/6/07

John A. O'Toole

Attorney for Applicants

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Minneapolis, MN

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sector

Please type a plus sign (+) inside this box →

+

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/904,794

Filing Date July 12, 2001

First Named Inventor GERMICK, ROBERT J

Group Art Unit 3721

Examiner Name

Total Number of Pages in This Submission 8

Attorney Docket Number 5468

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	GENERAL MILLS; JOHN A. O'TOOLE
Signature	John A. O'Toole
Date	September 6, 2001

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:.		
Typed or printed name	Brenda K. Popp	
Signature	Brenda K. Popp	Date 9/11/01

Burden Hour Statement: This form is estimated to take .2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

**Complete if Known**

Application Number	09/904,794
Filing Date	July 12, 2001
First Named Inventor	GERMICK, ROBERT J.
Examiner Name	3721
Group Art Unit	
Attorney Docket No.	5468

**TOTAL AMOUNT OF PAYMENT** (\$)**130.00****METHOD OF PAYMENT**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit overpayments to:  
Deposit Account Number **07-0900**  
Deposit Account Name  
☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
☐ Applicant Claims small entity status.  
See 37 CFR 1.27

2. ☐ **Payment Enclosed:**☐ Check ☐ Credit Card ☐ Money ☐ Other  
Order**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code	(\$)	Code	(\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

**SUBTOTAL (1)**

(\$)

**2. EXTRA CLAIM FEES**

Extra Claims		Fee from below	Fee Paid
Total Claims	-20** =	x	=
Indep. Claims	-3** =	x	=
Multiple Dependent			=

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code	(\$)	Code	(\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$)

\*\*or number previously paid, if greater; For Reissues, see above.

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Fee Description					Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2520	147	2520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1840*	113	1840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1390	218	695	Extension for reply within fourth month	
128	1890	228	945	Extension for reply within fifth month	
119	310	220	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1510	138	1510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1240	241	620	Petition to revive - unintentional	
142	1240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129 (a))	
149	710	246	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
				Advance Copies	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**(\$)**130.00****SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	John A. O'Toole	Registration No.	28,336	Telephone	763-764-2422
Signature	<i>John A. O'Toole</i>	(Attorney/Agent)		Date	September 6, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/904,794	07/12/2001	Robert Germick	5468USA

John A. O'Toole, Esq.  
P.O. Box 1113  
Minneapolis, MN 55440

CONFIRMATION NO. 1785

## FORMALITIES LETTER



\*OC000000006477616\*

Date Mailed: 08/27/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice MUST be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/13/2001 BNGUYEN1 00000074 070900 09904794

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